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Attorneys for Commercial Metals Company

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

<p>FRANKLIN COVEY CO.,</p> <p>Plaintiff,</p> <p>v.</p> <p>COMMERCIAL METALS COMPANY,</p> <p>Defendant.</p>	<p>STIPULATED MOTION TO CONTINUE INITIAL PRETRIAL CONFERENCE</p> <p>Case No. 2:16-cv-01221-CW-BCW</p> <p>District Judge Clark Waddoups</p> <p>Magistrate Judge Brooke C. Wells</p>
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COME NOW plaintiff Franklin Covey Co. (“plaintiff”) and defendant Commercial Metals Company (“defendant”), by and through their undersigned counsel and move the Court to enter an order continuing the initial pretrial conference, currently scheduled for July 12, 2017 pursuant to Dkt. No. 12, and all corresponding deadlines, to a date and time to be set after the pending motion to dismiss is decided by the Court. In support of the motion, the parties state as follows:

1. Plaintiff filed its complaint against defendant on December 2, 2016. *See* Dkt. No. 2.
2. Defendant filed a motion to dismiss and memorandum in support for lack of personal jurisdiction on April 24, 2017. *See* Dkt. No. 8.
3. The notice of initial pretrial conference was issued on April 25, 2017, setting the initial pretrial conference for July 12, 2017 and the deadline to file the attorneys planning meeting report and proposed scheduling order no later than June 24, 2017. *See* Dkt. No. 12.
4. The motion to dismiss for lack of personal jurisdiction is set for a hearing on August 10, 2017. *See* Dkt. No. 23.
5. It would serve the best interests of the Court and parties to continue the initial pretrial conference, currently scheduled for July 12, 2017, and all corresponding deadlines, until after the pending motion to dismiss is decided by the Court.

WHEREFORE, the parties pray that this Court continue the initial pretrial conference, currently scheduled for July 12, 2017, and all corresponding deadlines, to a date and time to be set after the pending motion to dismiss is decided by the Court.

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RAY QUINNEY & NEBEKER P.C.

By /s/ Chad E. Nydegger
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By /s/ S. Brandon Owen
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on Monday, June 19, 2017, the foregoing was filed electronically with the Clerk of the Court and shall be served electronically by operation of the Court's electronic filing system upon all parties of record.

/s/ Chad E. Nydegger